



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>03-06-12</b>	<b>AGENDA REQUEST No:</b>	<b>III-C</b>
<b>INITIATED BY:</b>	<b>DAVID GAINES</b> <i>DDG</i> <b>SR. PROJECT MANAGER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>ENGINEERING</b>
<b>PRESENTED BY:</b>	<b>ROBERT VALENZUELA, P.E., CFM</b> <i>RV</i> <b>ASSISTANT CITY ENGINEER</b>	<b>DIRECTOR:</b>	<b>CHRISTOPHER STEUBING, P.E. CFM, CITY ENGINEER</b> <i>CS</i>
		<b>ADDITIONAL DIRECTOR (S):</b>	<b>JIM BROWNE</b> <b>DIRECTOR OF PARKS AND RECREATION</b> <i>JB</i>
<b>SUBJECT / PROCEEDING:</b>	<b>HIGHWAY 6 MEDIAN ENHANCEMENTS-PK1203</b> <b>AUTHORIZE A CONSTRUCTION CONTRACT WITH TEXAS LAWN &amp; LANDSCAPE SERVICES</b>		
<b>EXHIBITS:</b>	<b>K&amp;W LANDSCAPE ARCHITECTURE RECOMMENDATION LETTER</b> <b>SIGNED CONSTRUCTION CONTRACT WITH TEXAS LAWN &amp; LANDSCAPE SERVICES</b> <b>MAP</b>		
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>N/A</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>KAREN DALY</b> <i>kd</i>
<b>PURCHASING:</b>	<b>TODD REED, CPPB</b> <b>PURCHASING MANAGER</b> <i>TR</i>	<b>ASSISTANT CITY MANAGER:</b>	<b>N/A</b>
<b>BUDGET:</b>	<b>JENNIFER BROWN</b> <i>JB</i> <b>DIRECTOR OF BUDGET AND RESEARCH</b>	<b>CITY MANAGER:</b>	<b>ALLEN BOGARD</b> <i>Allen Bogard</i>
<b>BUDGET</b>			
<b>EXPENDITURE REQUIRED: \$</b>		<b>145,372.50</b>	
<b>CURRENT BUDGET: \$</b>		<b>265,050.00</b>	
<b>ADDITIONAL FUNDING: \$</b>		<b>NA</b>	
<b>RECOMMENDED ACTION</b>			
Authorize execution of a construction contract with Texas Lawn & Landscape Services for the Highway 6 Median Enhancements, CIP PK1203, in a maximum amount of \$145,372.50.			

## EXECUTIVE SUMMARY

In August of 2011, the City Council approved the installation of landscaping for the medians immediately north and south of US 59 in accordance with the 2008 State Highway 6 Landscape Master Plan. In December of 2011, the landscaping for the medians was completed. As part of the 2012 Capital Improvement Program, the SH 6 Landscape Rehabilitation project, PK 1203, was developed to replace the existing plantings and repair the damaged irrigation system along the medians from Brooks Street to Oyster Creek Park. A total of 28 median tips along the corridor will be addressed as part of this project.

In January 2012, the City contracted with Kudela & Weinheimer Landscape Architecture to prepare the construction plans for this project. The project scope included new planting beds, shrubs and trees, in addition to repairing and relocating the existing irrigation lines and heads for proper coverage. The planting beds will be pulled back from the tip of the medians to a distance that will prevent damage from traffic cutting the corners, and allow for lawn mowers to safely work. There will not be any hardscape material such as pedestrian walks or concrete pavers conducted with this project.

The State Highway 6 Landscape Rehabilitation Project was advertised for bid on February 1 & 8, 2012. The project included three alternates which are as follows:

1. Alternate 1 consisted of substituting 30 gallon Crape Myrtles for 45-gallon Crape Myrtles
2. Alternate 2 consisted of a unit price for a Live Oak tree
3. Alternate 3 consisted of substituting Yangtze Daylily for Aztec Gold Daylily

On February 16, 2012, two bids were received for the project. The project team recommends accepting the base bid and Alternate number 2 with a total addition of sixty trees. Therefore, the lowest responsible bidder was Texas Lawn & Landscape Services with a base bid of \$131,504.70, and Alternate 2 of \$231.13 unit price per 45-gallon live oak trees. The sum of the base bid and alternate is \$145,372.50.

Funding for this project is available in PK1203 with an unencumbered balance of \$265,050.00. The low bidder, Texas Lawn & Landscape Services, has completed several projects for the City of Sugar Land and is in good standing with the City. Upon contract approval and notice to proceed, it is anticipated for construction to begin in March and completion within 90 days after the issuance of the Notice to Proceed.

The Engineering and Parks and Recreation Departments recommend that the City Council authorize the award of a construction contract with Texas Lawn & Landscape Services in the amount of \$145,372.50 for the State Highway 6 Median Enhancement Project.

February 22, 2012

City of Sugar Land  
Parks Administration  
200 Matlage Way  
Sugar Land, TX 77478

Attention: Mr. David Gaines



LANDSCAPE ARCHITECTURE  
SITE PLANNING  
LAND PLANNING  
URBAN PLANNING

Houston Office  
7155 Old Katy Road  
Suite 270  
Houston, TX 77024  
713-869-6987  
info@kudela.com

HOUSTON  
SAN ANTONIO  
www.kudela.com

RE: Recommendation of Award  
Hwy 6 Median Improvements PO #105017  
CSL-151

Dear Mr. Gaines:

On Thursday, February, 16, 2012 two bid proposals were received on the above referenced project. Texas Lawn and Landscape Services submitted the low bid.

The contractor has successfully completed numerous similar projects with the City of Sugar Land. Based on the bid submitted, it is recommended that Texas Lawn & Landscape Service be authorized to perform this work for the proposed amount of \$131,504.70.

Should you have any questions or require any additional information, please call me at 713-869-6987.

Sincerely,

Cathleen Lynch  
Associate

**CITY OF SUGAR LAND**  
**STANDARD CONTRACT FOR CIVIL ENGINEERING CONSTRUCTION PROJECTS**  
**(Not For Building Construction Projects)**  
(Rev. 1-3-12)

This City of Sugar Land Standard Contract for Civil Engineering Construction Projects (Contract) is made between the City of Sugar Land, Texas (City), and the Contractor. The City and the Contractor agree to the terms and conditions of this Contract, which consists of the following:

- I. Summary of Contract Terms
- II. Standard Contractual Provisions
- III. Contract Documents
- IV. Signatures

**I. Summary of Contract Terms.**

Project: Highway 6 Median Enhancements – PK 1203

Contractor: Texas Lawn & Landscape Services

Name of Engineering Firm, if any: Kudela & Weinheimer

Name of Owner's Project Manager: David Gaines

Base Bid: \$131,504.70

Alternate Bid Item Nos.: 2 accepted. (Alternates 1 and 3 are rejected).

Total Alternate Bid Items Amount: \$ 13,867.80, sum of 60 live oak trees at \$231.13 per tree

Contract Price (Base Bid + Alternates): \$145,372.50, as may be adjusted by Change Orders

Effective Date of Contract: On the latest date of the dates executed by both parties

Date to Begin Work: Date specified in Notice to Proceed

Substantial Completion: Contractor must achieve Substantial Completion within 90 Calendar Days from date specified in Notice to Proceed, as the time may be adjusted by Change Order

Final Completion: Contractor must complete the Punch List within 14 Calendar Days from Substantial Completion

Liquidated Damage Amount for Failure to Meet Time for Substantial Completion: \$500 per Calendar Day

Liquidated Damage Amount for Failure to Complete Punch List Items by Time for Final Completion: \$50 per Calendar Day

*[The Legal Department has prepared this form contract for use by City employees without further legal review. The form allows for employees to insert information in specific provisions as necessary to complete the contract. The remaining Contract provisions are "read only" and may only be changed by the Legal Department. The Legal Department's signature on the contract assures that City employees have not changed the form.]*

publicworks  
1-24-12

FOR ANY SUCH FINE, PENALTY, COST, OR CHARGE, INCLUDING, WITHOUT LIMITATION, ATTORNEYS' FEES, COURT COSTS AND EXPENSES. UPON THE RAILROAD'S OR CITY'S NOTICE OF ANY SUCH ACTION BEING PROVIDED BY THE RAILROAD OR THE CITY, THE CONTRACTOR AGREES TO DEFEND SUCH ACTION FREE OF COST, CHARGE OR EXPENSE TO THE CITY OR THE RAILROAD.

**III. Contract Documents.** The Contractor must comply with the following additional Contract Documents, which are part of this Contract and are incorporated by reference:

1. General Conditions
2. Special Conditions, if any
3. Engineer's Specifications, including any special shoring requirements
4. Engineer's Plans
5. Contractor's Bid for the Project
6. Performance Bond
7. Payment Bond
8. Labor Classification and Minimum Wage Rates
9. State of Texas Workers' Compensation Insurance Coverage Addendum
10. Minimum Insurance Policy Limits for Large Construction Projects
11. Notice to Proceed
12. Contractor's Affidavit of Bills Paid
13. Notice to Bidders
14. Instructions to Bidders
15. Change Orders
16. Addenda
17. Conflict of Interest Questionnaire
18. Geo-Tech Report (if Contract involves trench excavation exceeding depth of five feet)

If there is a conflict between or among the terms of the Contract the City will determine which provision applies.

**IV. Signatures.** By signing below, the parties agree to the terms of this Contract:

**CITY OF SUGAR LAND**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CONTRACTOR:**

By: 

Name: TED GENARO

Title: PRESIDENT

Date: 2/22/2012

